

REMARKS

This Amendment is being filed in response to the Office Action mailed on April 14, 2011, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-6 are pending in the application. Claim 1 is the sole independent claim.

In the Final Office Action, claims 1-6 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, the term "before" is replaced with the term "when" and "substrate" was amended to "second substrate". This makes, the ensuring is performed together with transferring, and both, the ensuring absence of ink and transferring an ink pattern are within the scope of the preamble. Accordingly, withdrawal of this rejection and allowance of the claims are respectfully requested.

In the Final Office Action, claims 1-6 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2005/0120902 to Adams ("Adams") in view of Cherniavskaya (Langmuir 2002, 18, 7029-7034, provided as NPL by Applicant, "Cherniavskaya") and U.S. Patent Publication No. 2003/0047535 to Schueller ("Schueller"). It is respectfully submitted that claims 1-6 are patentable over Adams in view of Cherniavskaya and Schueller for at least the following reasons.

The specification explains that dewetting leaves "traces of the ink on the contact surfaces of the protruding features of the stamp, which can cause blurring of the features

printed on the substrate. In addition, only a few hydrophilic ink solutions exhibit the desired dewetting behaviour on the stamp, which also limits applicability of this technique." As previously argued Adams requires a step of dewetting; in Schueller the stamp surface is dried; and Cherniavskaya describes a barrier layer that the Examiner admits does not cover the edge.

In the Response to Arguments, the Examiner Argues that the claims do not preclude selection of inks as in Adams and Schueller. This argument, however, misrepresents the law. For the claim to be patentable, i.e., not anticipated or not made obvious, it needs to include fewer elements not fewer inks. Accordingly, as was previously argued, the claims are patentable because while Adams and Schueller require selection of inks and the use of dewetting, the claims do not require these steps.

The Examiner further proposes that the claims be limited by limiting the selection of inks. This suggestion indicates misunderstanding of the invention as it goes against the teaching of the claim and the specification, which disclose the use of a barrier layer and a substrate having different affinities. The claims and specification do not require ink selection.

Applicants further deny the Examiner's statement that paragraph 0008 of Adams is misconstrued. Far from it, the Examiner simply chooses to ignore the requirement of dewetting that is spelled out in that paragraph as follows:

The solution and the material of the surface of the stamp structure are such that the solution dewets from the surface of the stamp structure,

including each stamp surface, so as to accumulate in each recess.

The claims do not recite dewetting.

Further, the Examiner makes additional suggestions to amend the claims to recite that the interior of the recesses is covered by the barrier layer. However, the claims already include this recitation as claim 1 recites: "the barrier layer covering the contact surface and the edge on the protruding feature and the bulk surface". The contact surface 16 and 16', the edges 18 and 18' and the bulk surface 12 are illustrated in Figure 1a, for example. This recites and describes covering of the interior recesses.

As with regard to Examiner's point regarding prevention of dewetting. As argued above and previously, dewetting is not used in the claims.

Thus, it is respectfully submitted that the claims are not anticipated or made obvious by the teachings of Adams, Cherniavskaya, and Schueller. For example, Adams in view of Cherniavskaya and Schueller do not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "providing a barrier layer having a first affinity for ink on the elastomeric stamp having a bulk surface and at least one protruding feature protruding from the bulk surface, the protruding feature having the contact surface and an edge extending from the contact surface to the bulk surface, the barrier layer covering the contact surface and the edge on the protruding feature and the bulk surface; applying a solution of the ink and a solvent to the barrier layer, the barrier layer preventing molecules of the ink from penetrating the elastomeric stamp; contacting the contact surface of the


protruding feature with a surface of a first substrate, the surface of the first substrate having a second affinity for the ink higher than the first affinity of the barrier layer, the contacting resulting in a transfer of all of the ink from the contact surface of the protruding feature to the surface of the first substrate such that none of the ink remains on the contact surface of the protruding feature due to the surface of the first substrate having the higher second affinity for the ink than the first affinity of the barrier layer", as recited in claim 1.

Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Adams in view of Cherniavskaya and Schueller and notice to this effect is earnestly solicited. Claims 2-6 respectively depend from independent claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position, or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
\_\_\_\_\_  
Dicran Halajian, Reg. 39,703  
for: Gregory L. Thorne, Reg. 39,398  
Attorney for Applicant(s)  
April 14, 2011

**THORNE & HALAJIAN, LLP**

111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101

**Please direct all inquiries and correspondence to:**

Michael E. Belk, Reg. 33,357  
Philips Intellectual Property & Standards  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
(914) 333-9643